

1764  
JFW

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/636,814	
	Filing Date	August 10, 2000	
	First Named Inventor	David J. Edlund	
	Art Unit	1764	
	Examiner Name	Basia Anna Ridley	
Total Number of Pages in This Submission	7	Attorney Docket Number	NPW 307

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Kolisch Hartwell, P.C.		
Signature			
Printed name	David S. D'Ascenzo		
Date	November 18, 2004	Reg. No.	39,952

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	David S. D'Ascenzo	Date	November 18, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Dated: November 18, 2004

Re Application of:

DAVID J. EDLUND and THOMAS G. HERRON

Serial No. : 09/636,814

Group Art Unit: 1764

Filed : August 10, 2000

Examiner: Basia Anna Ridley

For : VOLATILE FEEDSTOCK DELIVERY SYSTEM AND FUEL  
PROCESSING SYSTEM INCORPORATING THE SAME

**Mail Stop AMENDMENT**

Commissioner for Patents

P.O. Box 1540

Alexandria, Virginia 22313-1450

Sir:

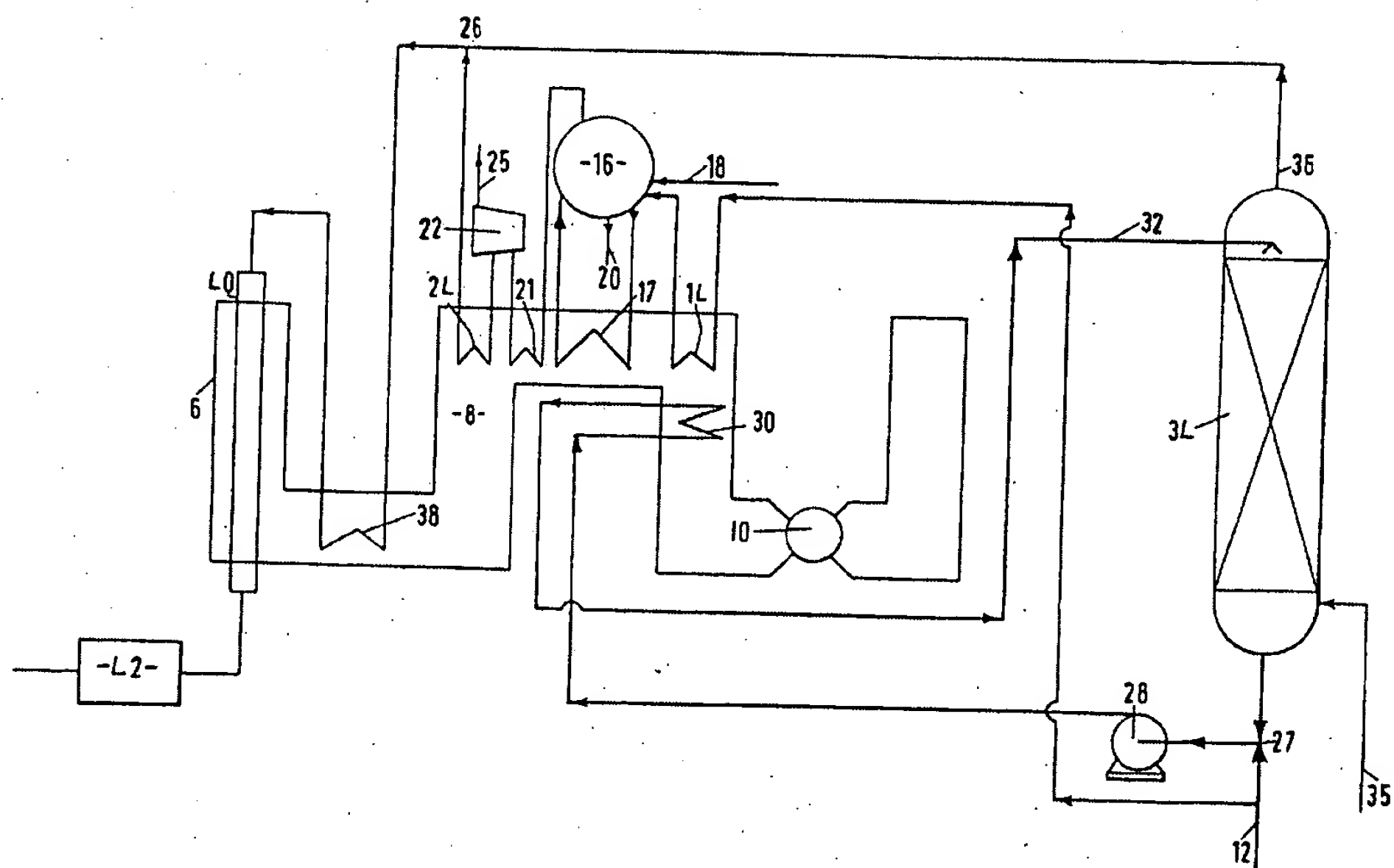
**REQUEST FOR RECONSIDERATION**

This request for reconsideration is being filed responsive to the October 5, 2004 Office action for the above-identified patent application. Claims 1-4, 6, and 9-31 are presently pending, with claims 5 and 7-8 withdrawn from consideration in view of Applicants' July 12, 2004 response to a first Office action restriction requirement, and the remaining claims rejected as being obvious over U.S. Patent No. 4,238,403 to Pinto, either alone or in combination with U.S. Patent No. 5,401,589 to Palmer or U.S. Patent No. 4,027,495 to Edwards. The pending claims also stand rejected under the doctrine of obviousness-type double patenting over Applicants' U.S. Patent No. 6,375,906. Applicants have studied the cited references in view of the pending claims and the reasons expressed in the Office action.

Applicants respectfully request reconsideration of the rejections for at least the reasons discussed below.

As an initial matter, Applicants thank the Examiner for her time and comments in a telephone interview with Applicants' undersigned attorney on November 17, 2004. In the interview, the cited reference to Pinto was discussed in view of the independent claims, and it was agreed that Applicants would submit this response explaining why the independent claims recite subject matter that is not disclosed or suggested in Pinto.

U.S. Patent No. 4,238,403 to Pinto is directed to a system for producing methanol by steam reforming a feed stream containing water and a hydrocarbon, such as methane or natural gas. As shown below in the Figure of Pinto, the system receives a gaseous hydrocarbon stream 35 and introduces this stream to the lower region of a humidifier 34. The humidifier also receives a stream of steam 32 at its upper region. The steam heats the humidifier and humidifies the gaseous hydrocarbon, with the product streams from the humidifier being a humidified hydrocarbon stream 36, and a recycle stream 27 of liquid water. Stream 36 is used as a feed stream for the steam reforming reaction, while stream 27 is recycled, reheated, and delivered again to the upper portion of the humidifier. Applicants note that Pinto discloses that its system may be used to produce hydrogen gas instead of methanol, and for the purposes of this response only, are assuming that the system could be used in this regard without structural changes from those shown in the Figure.



Applicants understand that Examiners are entitled to broadly interpret the cited references, and Applicants certainly understand the public policy served by this procedure. In that regard, Applicants recognize that the steam stream 32 does provide some heat to the humidifier, and Applicants understand the Examiner's interpretation that the humidifier can be considered a reservoir that receives a stream of hydrocarbon to the extent that the hydrocarbon is present in the humidifier during the transient time period in which the hydrocarbon rises from its inlet to the top of the humidifier. However, both independent claims of the pending application recite, amongst other subject matter, that the fuel processing system comprises a volatile feed stock delivery system that includes a plurality of heated reservoirs that are adapted to *receive and store under pressure* a volume of a volatile carbon-containing feedstock.

Applicants respectfully submit that even a very broad interpretation of the humidifier disclosed in Pinto does not disclose or suggest a reservoir that receives and stores under pressure a volume of volatile carbon-containing feedstock, much less a plurality of such reservoirs from which a delivery system selectively draws a stream containing this feedstock. Instead, the humidifier of Pinto receives the hydrocarbon, permits it to mix with steam as the hydrocarbon flows through the humidifier, and then exhausts a gaseous product stream containing water and the hydrocarbon. The flow rate of hydrocarbon out of the humidifier appears to be entirely dependent upon the flow rate of hydrocarbon into the humidifier, with Pinto neither disclosing nor suggesting any structure for storing the hydrocarbon, much less storing the hydrocarbon under pressure in a heated reservoir. Instead, Pinto discloses an open system in which the hydrocarbon is bubbled through water as the water percolates over the trays in the humidifier.

In view of the above, Applicants respectfully request reconsideration and withdrawal of the rejections based on Pinto. For the purpose of completeness, Applicants also respectfully traverse the rejections of the dependent claims, and the proposed combinations of Pinto with other cited references. However, in view of the above-discussed differences between the subject matter recited in the pending independent claims and Pinto, Applicants submit that these further distinctions become moot. Should the Examiner disagree, Applicants propose a follow-up interview to discuss additional subject matter that is disclosed in the independent claims and/or the dependent claims and which is not disclosed or suggested in Pinto.

Turning now to the obviousness-type double patenting rejection, Applicants also request reconsideration and withdrawal of the double patenting rejection for reasons similar to those discussed above. Briefly, Applicants recognize that the commonly owned cited reference also discloses a delivery system for carbon-containing feedstocks, as well as steam reforming fuel processing systems containing the same. However, the delivery system of the cited reference contains a water reservoir through which a gaseous hydrocarbon is bubbled to produce a gaseous outlet stream containing water and the hydrocarbon. Even with a broad construction of the claimed subject matter in view of the disclosure of the cited reference, Applicants still believe that the cited reference, like Pinto, is directed to a system in which the hydrocarbon is bubbled through the reservoir or other structure, with the hydrocarbon being mixed with water as it flows through the reservoir and from which the mixed gas stream is exhausted responsive largely to the flow rate of hydrocarbon into the reservoir. In other words, neither the systems of Pinto nor the cited double patenting reference are directed to a heated reservoir that receives and stores under pressure a volume of volatile carbon-containing feedstock, much less to a feedstock delivery system with a plurality of such heated reservoirs and a delivery system to selectively draw the feedstock from the reservoirs.

In view of the above, Applicants request that the rejections of the pending claims be reconsidered and withdrawn. Applicants submit that this response addresses all of the issues raised in the Office action. If the Examiner identifies any remaining issues, has any questions, or believes a further telephone interview would

be productive to advance prosecution of the present application, the Examiner is invited to contact Applicants' undersigned attorney at the number listed below.

Respectfully submitted,

KOLISCH HARTWELL, P.C.

A handwritten signature in black ink, appearing to read "David S. D'Ascenzo", is written over a horizontal line.

David S. D'Ascenzo

Registration No. 39,952

PTO Customer No. 23581

Kolisch Hartwell, P.C.

520 S.W. Yamhill Street, Suite 200

Portland, Oregon 97204

Telephone: (503) 224-6655

Facsimile: (503) 295-6679